

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION,)	MDL 2804
OPIATE LITIGATION)	
)	Case No. 1:17-md-2804
THIS DOCUMENT RELATES TO:)	
)	JUDGE DAN AARON POLSTER
All Cases)	
)	<u>OPINION AND ORDER</u>

Before the Court is Teva Pharmaceutical Industries, Ltd.’s Objections to Discovery Ruling Regarding Personal Jurisdiction Discovery. **Doc #: 1534.** According to Teva, “the Court should find that Plaintiffs failed to establish a *prima facie* case for jurisdiction over Teva Ltd. and, thus, jurisdictional discovery is inappropriate.” *Id.* at 1. Furthermore, “if the Court does allow Plaintiffs to take jurisdictional discovery of Teva Ltd., the Court should order that the Rule 30(b)(6) deposition of Teva Ltd. shall take place in Israel, where it resides and does business.” *Id.* The Court has reviewed the Special Master’s Ruling, Doc #: 1512, and rules as follows. The Court **OVERRULES** Teva Ltd.’s argument that Plaintiffs failed to establish a *prima facie* case for jurisdiction. Plaintiffs not only relied on the *Dewine* decision but on Teva’s Social Impact Report. Whether or not the generic drugs Teva Ltd. sold in the United States were prescription opiates does not mean that it had no control over its subsidiaries that did sell prescription opiates in the United States. And Plaintiffs are entitled to find out the extent of that control.

However, as the burden is on Plaintiffs to show jurisdiction over Teva Ltd., the Court **REVERSES** Special Master Cohen's ruling that the deposition shall take place in the United States, and concludes that the deposition shall take place in Israel, the home of Teva Ltd.

IT IS SO ORDERED.

/s/Dan Aaron Polster 4/11/19
Dan Aaron Polster
United States District Judge